

Appl. No.: 09/281,042
Amdt. dated 01/16/2004
Reply to Office action of 11/19/2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/281,042
Applicant : Seiki Aguro
Filed : 03/30/1999
TC/A.U. : 2123
Examiner : Jones, Hugh M
Docket No. : TIJ-26495
Customer No. : 23494

Confirmation No. 6678

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JAN 22 2004

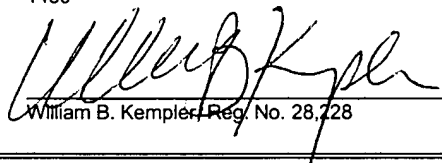
Technology Center 2100

TRANSMITTAL FOR PETITION UNDER 37 C.F.R. 1.181

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Mailing Certificate Under 37 C.F.R. § 1.8(A)


I hereby certify that, on the date indicated below, this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450

 1/16/04
William B. Kempler, Reg. No. 28,228 DATE

Sir:

Please charge any required petition fees or other fees to Deposit Account No. 20-0668, Texas Instruments Incorporated. A duplicate copy of this authorization to charge to a deposit account is enclosed herewith for accounting purposes.

Respectfully submitted,
Texas Instruments Incorporated


William B. Kempler
Senior Corporate Patent Counsel
Reg. No. 28,228
(972) 917-5452

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Petition to the Commissioner of Patents

Under 37 C.F.R. § 1.181

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MAILING CERTIFICATE UNDER 37 C.F.R. §1.8(A)

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William B. Kempler Date: 1/16/04

Dear Sir:

Applicants petition the Commissioner to exercise his authority in this application concerning the Examiner's improper rejection of Claims 5-7, 10-13 and 15-17 under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In the long prosecution history of this application, the Examiner first raised this issue in the Official Action mailed 03/14/2003 and applicant's attempts to have the Examiner withdraw this objection have been futile. Filed concurrently herewith is a second appeal to the Board of Patent Appeals and Interferences.

The Examiner objects to Claims 5-7, 10-13 and 15-17 under 35 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. The Examiner states that Claims 5, 10 and 15 recite that a plurality of commands are applied in a specific time sequence. The Examiner states that it is inherent that a plurality of commands which are applied are applied in a specific time sequence.

This objection is respectfully traversed. As is well known to those in the computer art, computer systems have an input labeled "interrupt" which is utilized specifically for the receipt of commands which are not in a specific time sequence. Therefore, it is well known to those skilled in the art that commands to a computer system can be applied in sequence in which there is a specific time sequence or out of sequence in which no time sequence exists. Accordingly, the recitation of that the plurality of commands are applied in a specific time sequence does further limit applicant's invention and are appropriate dependent claims.

The Examiner states that Claims 6, 7, 11-13 and 16-17 also recite a comparator. The Examiner states that the respective independent claims recite "comparing" and that it is inherent that a comparator would be required to carry out such a comparison.

This objection is respectfully traversed. A comparator is a specific electronic circuit utilized for comparing two signals. However, as is well known to those skilled in the art, comparisons can also be done within a computer system within the CPU, and thus the utilization of a specific circuit "comparator" is not required. In addition, these claims all additionally recite that the computer system further comprises a pair of registers and that the comparators are coupled to compare the contents of the registers. As such, these claims add additional structure to the independent claims and specifically recite that it is the contents of the two registers, which are not recited in the independent claims, that are coupled to a comparator. Accordingly, applicants believe that these are appropriate dependent claims.

Accordingly, Applicants request the Examiner's requirements that Applicant be required to cancel the claims or claim limitations, or amend the claims or claim limitations to place the claims or the claim limitations in a proper dependent form or rewrite the claims or the claim limitations in independent form be withdrawn and the application be allowed to proceed on appeal.

Respectfully submitted,
Texas Instruments Incorporated

A handwritten signature in black ink, appearing to read 'William B. Kempler', with a long horizontal flourish extending to the right.

William B. Kempler
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